

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chair Llew Jones, on February 1, 2011 at 3:00 PM, in Room 405 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Llew Jones, Chairman (R)  
Sen. Jon Sonju, Vice Chairman (R)  
Sen. Ron Arthun (R)  
Sen. Edward Buttrey (R)  
Sen. Mary Caferro (D)  
Sen. Jim Keane (D)  
Sen. Carmine Mowbray (R)  
Sen. Bruce Tutvedt (R)  
Sen. Gene Vuckovich (D)  
Sen. David E. Wanzonried (D)

##### **Members Excused:**

Sen. Anders Blewett (D)  
Sen. Ryan Zinke (R)

**Members Absent:** None

##### **Staff Present:**

Kirk Lundby, Committee Secretary  
Rachel Weiss, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 179, 1/19/2011; SB 192, SB 213, 1/26/011  
Executive Action: SB 14 Tabled  
SB 179 Do Pass  
SB 211 Tabled  
SB 111 Do Pass As Amended - Reconsidered

**EXECUTIVE ACTION ON SB 14**

00:00:25 **Motion:** Sen. Tutvedt moved that **SB 14 DO PASS.**

00:01:06 **Substitute Motion/Vote:** Sen. Buttrey made a substitute motion that **SB 14 BE TABLED.** Substitute Motion carried 10-2 by voice vote with Sen. Blewett and Sen. Wanzenried voting no. Sen. Blewett and Sen. Zinke voted by proxy.

**EXECUTIVE ACTION ON SB 111**

00:02:15 **Motion:** Sen. Sonju moved that **SB 111 DO PASS.**

00:02:24 **Motion:** Sen. Sonju moved that **SB 111 BE AMENDED.**  
**EXHIBIT**(his25a01)

**Discussion:**

00:03:08 Sen. Buttrey

00:03:16 Sen. Blewett entered the committee room

00:05:27 **Vote:** Motion carried 9-3 by voice vote with Sen. Blewett, Sen. Caferro and Sen. Wanzenried voting no. Sen. Zinke voted by proxy.

00:05:32 **Motion:** Sen. Buttrey moved that **SB 111 DO PASS AS AMENDED.**

00:06:03 **Motion:** Sen. Keane moved that **SB 111 BE AMENDED.**  
**EXHIBIT**(his25a02)

**Discussion:**

00:06:40 Sen. Blewett

00:07:00 Sen. Keane

00:07:16 Sen. Buttrey

00:07:57 Sen. Keane

00:08:36 Sen. Buttrey

00:08:43 Vice Chair Sonju

00:09:33 Sen. Blewett

00:10:33 Sen. Mowbray

00:11:05 **Vote:** Motion failed 5-7 by roll call vote with Sen. Blewett, Sen. Caferro, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Zinke voted by proxy.

00:13:10 **Motion:** Sen. Tutvedt moved that **SB 111 DO PASS AS AMENDED.**

**Discussion:**

00:13:35 Sen. Blewett

00:15:48 Sen. Tutvedt

00:16:33 Sen. Wanzenried

00:17:48 **Vote:** Motion carried 7-5 by roll call vote with Sen. Blewett, Sen. Caferro, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting no. Sen. Zinke voted by proxy.

**EXECUTIVE ACTION ON SB 211**

00:20:08 **Motion:** Sen. Sonju moved that **SB 211 DO PASS.**

00:20:14 **Motion:** Sen. Sonju moved that **SB 211 BE AMENDED.**  
**EXHIBIT(his25a03)**

**Discussion:**

00:21:01 Vice Chair Sonju  
00:21:29 Sen. Keane  
00:21:42 Sen. Sonju  
00:22:17 Sen. Keane  
00:22:30 Vice Chair Sonju

00:22:46 Vice Chair Sonju **WITHDRAWS MOTION TO AMEND.**

00:23:00 **Motion/Vote:** Sen. Keane moved that **SB 211 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.  
**EXHIBIT(his25a04)**

00:23:49 **Motion:** Sen. Sonju moved that **SB 211 DO PASS AS AMENDED.**

00:24:04 **Motion:** Sen. Sonju moved that **SB 211 BE AMENDED.**  
**EXHIBIT(his25a05)**

**Discussion:**

00:24:58 Sen. Keane  
00:25:37 Chairman Jones  
00:25:59 Sen. Keane

00:26:26 **Vote:** Motion failed 4-8 by roll call vote with Sen. Arthun, Sen. Buttrey, Sen. Jones and Sen. Mowbray voting aye. Sen. Zinke voted by proxy.

**Discussion:**

00:27:49 Chairman Jones

00:28:27 **Substitute Motion/Vote:** Sen. Wanzenried made a substitute motion that **SB 211 BE TABLED.** Substitute Motion carried 10-2 by roll call vote with Sen. Mowbray and Sen. Tutvedt voting no. Sen. Zinke voted by proxy.

00:30:10 recess  
00:35:22 reconvene

**HEARING ON SB 213**

**Opening Statement by Sponsor:**

00:35:54 Sen. Gene Vuckovich (D), SD 43, opened the hearing on SB 213, Designate Montana Highway 1 Pintlar Veterans' Memorial Scenic Highway.

**Proponents' Testimony:**

None

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:39:58 Sen. Tutvedt  
00:40:25 Sen. Vuckovich  
00:40:38 Sen. Arthun  
00:40:56 Sen. Keane  
00:41:11 Barry Stang, representing the Motor Carriers of Montana (MCM)  
00:41:36 Sen. Caferro

**Closing by Sponsor:**

00:41:55 Sen. Vuckovich

**HEARING ON SB 179**

**Opening Statement by Sponsor:**

00:43:31 Sen. Art Wittich (R), SD 35, opened the hearing on SB 179, Memorialize trooper David Delaittre.

**Proponents' Testimony:**

00:46:45 Dennis Delaittre, representing himself  
00:49:33 Steve Bullock, Attorney General  
00:51:20 Colonel Mike Tooley, Chief, Montana Highway Patrol (MHP)  
00:53:29 Jim Lynch, Director, Department of Transportation (DOT)  
00:54:58 Rebecca Sturdevant, President, Concerns Of Police Survivors (COPS)  
00:55:48 Mark Taylor, representing the Association of Montana Troopers (AMT)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

None

**Closing by Sponsor:**

00:56:47 Sen. Wittich

**EXECUTIVE ACTION ON SB 179**

01:00:18 **Motion:** Sen. Tutvedt moved that **SB 179 DO PASS.**

**Discussion:**

01:00:50 Sen. Caferro

01:01:18 **Vote:** Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

**EXECUTIVE ACTION ON SB 111**

01:02:34 **Motion:** Sen. Sonju moved to **RECONSIDER THE MOTION** on **SB 111.**

**Discussion:**

01:03:07 Sen. Keane

01:03:21 Vice Chair Sonju

01:04:31 Sen. Tutvedt

01:05:08 Chairman Jones

01:05:21 Sen. Keane

01:06:20 **Vote:** Motion carried 11-0 by voice vote. Sen. Zinke voted by proxy. Sen. Wanzenried abstained.

**HEARING ON SB 192**

**Opening Statement by Sponsor:**

01:07:50 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 192, Revise motor carrier laws related to motor carrier classes.

**Proponents' Testimony:**

01:11:26 John Vincent, Commissioner, Public Service Commission (PSC)

**EXHIBIT(his25a06)**

01:15:36 Jerry Perkins, Owner, Karst Stage Inc.

01:16:45 Bob Young, representing Billings Yellowcab

01:17:26 Vance Vanderpan, Greater Valley Taxi

01:18:28 Carrrie Pintar, Amazing Taxi

01:18:51 Susan Young, Billings Yellowcab

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:19:51 Sen. Keane

01:20:16 Eric Dahlgren, attorney, (PSC)

01:20:55 Sen. Keane

01:21:00 Eric Dahlgren

**Closing by Sponsor:**

01:21:27 Sen. Erickson

**Discussion:**

01:22:01 Chairman Jones

01:22:31 Sen. Wanzenried

01:23:03 Sen. Tutvedt

01:23:23 Chairman Jones

01:23:41 Sen. Wanzenried

**Additional Exhibits:**

The following exhibit was received today relating to SB 82 heard in committee on 1/27/2011

**EXHIBIT(his25a07)**

Letter from Julia Hammerquist

**ADJOURNMENT**

Adjournment:  
01:24:03

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Kirk Lundby, Secretary

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Additional Documents:

**EXHIBIT**([his25aad.pdf](#))